

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KAYLA D'ALESSANDRO	:	CIVIL ACTION
	:	
	:	
v.	:	NO.
	:	
	:	
CAVANAUGH'S RIVER DECK	:	
and STEVE J. WILSON	:	

**NOTICE**

TO: John R. Trotman, Esquire  
Silverman Trotman & Schneider, LLC  
1835 Market Street, Suite 1717  
Philadelphia, PA 19103

Steve B. Wilson  
590 Lower Lending Road  
Blackwood, NJ 08012

Please take notice that defendant Cavanaugh's River Deck has filed a Notice in the United States District Court for the Eastern District of Pennsylvania for removal of the civil action now pending in the Court of Common Pleas of Philadelphia County, Pennsylvania entitled Kayla D'Alessandro v. Cavanaugh's River Deck and Steve J. Wilson, Philadelphia County Court of Common Pleas, January Term, 2012, No. 01808, a copy of which is attached hereto.

BILLET & ASSOCIATES, LLC

By: 

ROBERT DOUGLAS BILLET, ESQUIRE  
CHRISTOPHER D. HILLSLEY, ESQUIRE  
2000 Market Street, Suite 2803  
Philadelphia, PA 19103  
(215) 496-7500/7505 fax  
Attorneys for defendant Cavanaugh's River Deck

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KAYLA D'ALESSANDRO	:	CIVIL ACTION
	:	
	:	
v.	:	NO.
	:	
	:	
CAVANAUGH'S RIVER DECK	:	
and STEVE J. WILSON	:	

**NOTICE OF REMOVAL**

Defendant Cavanaugh's River Deck, by and through its attorneys, Billet & Associates, LLC, hereby notices the removal of this matter to the United States District Court for the Eastern District of Pennsylvania from the Court of Common Pleas, Philadelphia County, Pennsylvania, and in support thereof, avers the following:

1. This is a civil action which was filed, and is now pending, in the Court of Common Pleas of Philadelphia County entitled Kayla D'Alessandro v. Cavanaugh's River Deck and Steve J. Wilson, Philadelphia County Court of Common Pleas, January Term, 2012, No. 01808. See plaintiff's Complaint, a copy of which is attached hereto, made a part hereof and marked Exhibit "A."

2. This action was commenced by the filing of the aforementioned Complaint on or about January 16, 2012. See id.

3. Plaintiff attempted service upon moving defendant on February 14, 2012 by providing a copy of the complaint to a contractor performing home renovations at 822 North Ringgold Street in Philadelphia. See affidavit of Patrick Pawliczek, a copy of which is attached hereto, made a part hereof, and marked Exhibit "B."

4. Upon information and belief, proper service of plaintiff's Complaint was effectuated on March 31, 2012 upon defendant Cavanaugh's River Deck.

5. Upon information and belief, co-defendant Steve J. Wilson has not yet been served.

6. Accordingly, this Notice of Removal is being filed within thirty (30) days of service of plaintiff's Complaint, and it is the first pleading which specifically identifies all elements of federal jurisdiction.

7. The causes of action set forth in plaintiff's Complaint are such that this Court may exercise diversity jurisdiction pursuant to 28 U.S.C. §1332, and is therefore removable pursuant to 28 U.S.C. §1441(b).

8. Furthermore, this Court has original jurisdiction over plaintiff's claims due to the diversity of citizenship between the plaintiff and the defendants. See 28 U.S.C. §1332.

9. Venue is proper in the Eastern District of Pennsylvania pursuant to Pa. U.S.C. §1391(a)(1), as moving defendant resides in this district and as the events which gave rise to plaintiff's causes of action occurred in the Eastern District of Pennsylvania.

10. Written notice to plaintiff and all other defendants is being served simultaneously with this notice of removal. See Notice of Removal, a copy of which is attached hereto, made a part hereof, and marked Exhibit "C."

11. A copy of this Notice of Removal, along with all attachments, is also being filed with the Prothonotary of the Court of Common Pleas of Philadelphia County. See Praecipe for Notice of Removal, a copy of which is attached hereto, made a part hereof, and marked Exhibit "D."

12. Defendant expressly reserves all rights and defenses relating to plaintiff's claims.

WHEREFORE, defendant Cavanaugh's River Deck respectfully requests that this matter be removed to this Court for all purposes.

BILLET & ASSOCIATES, LLC

By: 

ROBERT DOUGLAS BILLET, ESQUIRE  
CHRISTOPHER D. HILLSLEY, ESQUIRE

2000 Market Street, Suite 2803

Philadelphia, PA 19103

(215) 496-7500/7505 fax

Attorneys for defendant Cavanaugh's River Deck

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KAYLA D'ALESSANDRO	:	CIVIL ACTION
	:	
	:	
v.	:	NO.
	:	
	:	
CAVANAUGH'S RIVER DECK	:	
and STEVE J. WILSON	:	

**CERTIFICATE OF SERVICE**

I, Christopher D. Hillsley, Esquire, hereby certify that a true and correct copy of the Notice of Removal, was served upon each and every interested counsel or unrepresented party by regular first class mail, postage pre-paid on April 27, 2012.

BILLET & ASSOCIATES, LLC

By:

  
ROBERT DOUGLAS BILLET, ESQUIRE  
CHRISTOPHER D. HILLSLEY, ESQUIRE

2000 Market Street, Suite 2803

Philadelphia, PA 19103

(215) 496-7500/7505 fax

Attorneys for defendant Cavanaugh's River Deck